

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-III,
VAISHALI AT HAJIPUR**

S. Tr. No. 473 of 2024

State of Bihar Vs Nageshwar Rai & Others

Hajipur Sadar P.S. Case No. 622/2019

20.09.2024

ORDER

Heard both the parties. On petition filed u/s 227 of Cr.P.C. dated 03-09-2024 and its rejoinder filed on same day. Ld. Counsel for the petitioner submitted that there is no sufficient ground to proceed in this case u/s 307 of I.P.C. as no injury is there intention is missing manner of using the weapons is also not established and accordingly he pray for discharge u/s 227 of Cr.P.C.

After hearing both the parties. Perused the case record. On perusal it is transpired that there is allegation to shot a fire through a gun in which the injury is not required to taken into consideration when the used fire arms. So far as, the use of fire arms is concerned. Ld. Counsel for the petitioner submitted that no empty cartridge has been recovered from the place of occurrence, all these point will be considered during the trial not at the stage of framing of charge. Hence, petition has no merit. Hence, the petition is hereby dismissed.

Put up on for framing of charge u/s 341, 323, 504, 385, 307/34 of I.P.C. and 27 of Arms Act.

Dictated

Addl. Sessions Judge-III
Vaishali at Hajipur.
20-09-2024